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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,030	09/26/2003	David L. Kaminsky	RSW920030152US1 (117)	7696

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EXAMINER
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NGUYEN, DUC M

ART UNIT	PAPER NUMBER
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2618

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/672,030	<b>Applicant(s)</b> KAMINSKY, DAVID L.	
	<b>Examiner</b> Duc M. Nguyen	<b>Art Unit</b> 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/26/03</u> .   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The references listed in the information disclosure statements submitted on 4/3/01 has been considered by the examiner (see attached PTO-1449).

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by **Flint** (US Pat. Number **5,825,353**).

Regarding claim 5, **Flint** discloses an integrated computer telephony system comprising:

at least one computer participating in a wireless network (see Figs. 4-5);

a cordless phone base station bound to a telephone outlet through a cabled connection (see Fig. 5 and col. 5, line 44 – col. 6, line 8), and,

a wireless network adapter (Wireless Modem 209) and cordless handset circuit (Audio SP 42) both disposed in said at least one computer and configured to share common computing resources (processor 2) within said at least one computer, said wireless network adapter establishing and maintaining data communications in said wireless network, said cordless handset circuit establishing and maintaining cordless

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telephony with said cordless phone base station (see Fig. 4 and col. 5, line 44 – col. 6, line 8).

4. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by **Nishimura** (US Pat. Number **4,661,659**).

Regarding claim 5, **Nishimura** discloses an integrated computer telephony system comprising:

at least one computer participating in a wireless network (see Figs. 4a-4b);  
a cordless phone base station bound to a telephone outlet through a cabled connection (see Fig. 4b), and,  
a wireless network adapter (wireless circuit TC1) and cordless handset circuit (SP & MIC) both disposed in said at least one computer and configured to share common computing resources (computer circuit CC1) within said at least one computer, said wireless network adapter establishing and maintaining data communications in said wireless network, said cordless handset circuit establishing and maintaining cordless telephony with said cordless phone base station (see Fig. 4a and col. 4, lines 3-28).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **1, 8, 9** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Carey** (US 5,005,183) in view of **Sharma** (US 5,452,289).

Regarding claims **1**, **Carey** discloses a computer integrated cordless phone (see Fig. 2 and col. 8, lines 16 – col. 11, line 8) comprising a cordless handset transceiver (modulator 19 and demodulator 27) configured for coupling to an antenna (23) shared with a wireless network adapter (see references 38, 41 and 29) through a multiplexer/demultiplexer (21, 25) so that both of said cordless handset transceiver and said wireless network adapter transmit and receive data within a common wireless frequency spectrum (see col. 4, lines 5-12 and col. 5, lines 2-25).

Here, although Carey teaches that the mobile device is configured to transmit/receive high speed data through a display/keypad or external port (see col. 10, lines 53-61) and is silent with a computer, it is noted that combining a phone system with a computer is well known in the art as disclosed by **Sharma** (see Fig. 3 and col. 8, line 1 – col. 9, line 60). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide the above teaching Sharma to Carey for integrating a computer circuit to the mobile set in Carey as well, for utilizing advantage of a computer circuit such as large key boards or graphic user interfaces for phone calls (see Fig. 2 in **Sharma**).

Regarding claims **8-9**, the claims are interpreted and rejected for the same reason as set forth in claim 1 above. In addition, it would have been obvious to use a graphic user interface for conducting phone calls as disclosed by **Sharma** (see Fig. 2).

7. Claims **1-7** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Carey** (US 5,005,183) in view of **Flint** (US **6,289,213**).

Regarding claim **1**, **Carey** discloses a computer integrated cordless phone (see Fig. 2 and col. 8, lines 16 – col. 11, line 8) comprising a cordless handset transceiver (modulator 19 and demodulator 27) configured for coupling to an antenna (23) shared with a wireless network adapter (see references 38, 41 and 29) through a multiplexer/demultiplexer (21, 25) so that both of said cordless handset transceiver and said wireless network adapter transmit and receive data within a common wireless frequency spectrum (see col. 4, lines 5-12 and col. 5, lines 2-25).

Here, although **Carey** teaches that the mobile device is configured to transmit/receive high speed data through a display/keypad or external port (see col. 10, lines 53-61) and is silent with a computer, it is noted that combining a wireless phone system with a computer is well known in the art as disclosed by **Flint** (see Fig. 4). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide the above teaching **Flint** to **Carey** for integrating a computer circuit to the mobile set in **Carey** as well, for utilizing advantage of a computer circuit such as large key boards or graphic user interface (GUI) capability for phone features.

Regarding claim **2**, the claim is rejected for the same reason as set forth in claim **1** above. In addition, **Carey**, in view of **Flint**, would teach the cordless handset transceiver comprises a further configuration for coupling to a central processing unit, audio processing circuitry and power supply within a computing device shared with said

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wireless network adapter (see **Flint**, Fig. 4), noting that a power supply would be an inherent feature for the integrated mobile device, in order to provide power to function the device.

Regarding claim 3, the claim is rejected for the same reason as set forth in claim 1 above. In addition, as admitted by Applicant in Fig. 2 as prior art, it would have been obvious to one skilled in the art at the time the invention was made to select the 2.4 GHz or ISM frequency spectrum as a common frequency spectrum for the integrated mobile device, for utilizing advantages of the unlicensed spectrum in most countries including the US.

Regarding claim 4, the claim is interpreted and rejected for the same reason as set forth in claim 2 above.

Regarding claims 5-6, the claims are interpreted and rejected for the same reason as set forth in claim 1 above. In addition, it would have been obvious to one skilled in the art at the time the invention was made to modify **Carey** so that the cordless handset transceiver and the wireless network adapter would transmit and receive data in different frequency spectrum, for further reducing signal interferences.

Regarding claim 7, the claim is interpreted and rejected for the same reason as set forth in claims 2, 6 above. In addition, **Carey**, in view of **Flint**, would teach said wireless network adapter and said cordless handset circuit share common information transceiving circuitry with one another in a single personal computer device (see **Flint**, Fig. 4).

### ***Conclusion***

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8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Babitch** et al (US 5,930,719), Data and voice cordless telephone system.

**Kikinis** et al (US 5,799,067), Smart phone integration with computer systems.

**Liebenow** (US 6,522,640), Distributed Modem for non-cellular cordless/wireless data communication for portable computers.

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(571) 273-8300 (for **formal** communications intended for entry)

(571)-273-7893 (for informal or **draft** communications).

Hand-delivered responses should be brought to Customer Service Window,  
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Any inquiry concerning this communication or communications from the examiner should be directed to Duc M. Nguyen whose telephone number is (571) 272-7893, Monday-Thursday (9:00 AM - 5:00 PM).

Or to Matthew Anderson (Supervisor) whose telephone number is (571) 272-4177.

Duc M. Nguyen, P.E.

June 22, 2006

